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that is securely and conspicuously attached to the component or its container.

(b) The approval marking shall be inscribed with the component's MSHA approval number and any additional markings required by the approval.

(c) The refuge alternative structure shall provide a conspicuous means for indicating an out-of-service status, including the reason it is out of service.

(d) The airlock shall be conspicuously marked with the recommended maximum number of persons that can use it at one time.

§ 7.510 New technology.

MSHA may approve a refuge alternative or a component that incorporates new knowledge or technology, if the applicant demonstrates that the refuge alternative or component provides no less protection than those meeting the requirements of this subpart.

PART 14—REQUIREMENTS FOR THE APPROVAL OF FLAME-RESISTANT CONVEYOR BELTS

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Subpart A—General Provisions

§ 14.1 Purpose, effective date for approval holders.

This Part establishes the flame resistance requirements for MSHA approval of conveyor belts for use in underground coal mines. Applications for approval or extensions of approval submitted after December 31, 2008, must meet the requirements of this Part.

§ 14.2 Definitions.

The following definitions apply in this part:

Applicant. An individual or organization that manufactures or controls the production of a conveyor belt and applies to MSHA for approval of conveyor belt for use in underground coal mines.

Approval. A document issued by MSHA, which states that a conveyor belt has met the requirements of this Part and which authorizes an approval marking identifying the conveyor belt as approved.

Extension of approval. A document issued by MSHA, which states that a change to a product previously approved by MSHA meets the requirements of this Part and which authorizes the continued use of the approval marking after the appropriate extension number has been added.

Flame-retardant ingredient. A material that inhibits ignition or flame propagation.

Flammable ingredient. A material that is capable of combustion.

Inert ingredient. A material that does not contribute to combustion.

Post-approval product audit. An examination, testing, or both, by MSHA of an approved conveyor belt selected by MSHA to determine if it meets the technical requirements and has been manufactured as approved.

Similar conveyor belt. A conveyor belt that shares the same cover compound, general carcass construction, and fabric type as another approved conveyor belt.

§ 14.3 Observers at tests and evaluations.

Representatives of the applicant and other persons agreed upon by MSHA and the applicant may be present during tests and evaluations conducted

under this Part. However, if MSHA receives a request from others to observe tests, the Agency will consider it.

§ 14.4 Application procedures and requirements.

(a) *Application address.* Applications for approvals or extensions of approval under this Part may be sent to: U.S. Department of Labor, Mine Safety and Health Administration, Chief, Approval and Certification Center, 765 Technology Drive, Triadelphia, West Virginia 26059. Alternatively, applications for approval or extensions of approval may be filed online at <http://www.msha.gov> or faxed to: Chief, Mine Safety and Health Administration Approval and Certification Center at 304-547-2044.

(b) *Approval application.* Each application for approval of a conveyor belt for use in underground coal mines must include the information below, except any information submitted in a prior approval application need not be re-submitted, but must be noted in the application.

(1) A technical description of the conveyor belt, which includes:

- (i) Trade name or identification number;
- (ii) Cover compound type and designation number;
- (iii) Belt thickness and thickness of top and bottom covers;
- (iv) Presence and type of skim coat;
- (v) Presence and type of friction coat;
- (vi) Carcass construction (number of plies, solid woven);
- (vii) Carcass fabric by textile type and weight (ounces per square yard);
- (viii) Presence and type of breaker or floated ply; and
- (ix) The number, type, and size of cords and fabric for metal cord belts.

(2) The name, address, and telephone number of the applicant's representative responsible for answering any questions regarding the application.

(c) Similar belts and extensions of approval may be evaluated for approval without testing using the BELT method if the following information is provided in the application:

(1) Formulation information on the compounds in the conveyor belt indicated by either:

(i) Specifying each ingredient by its chemical name along with its percentage (weight) and tolerance or percentage range; or

(ii) Specifying each flame-retardant ingredient by its chemical or generic name with its percentage and tolerance or percentage range or its minimum percent. List each flammable ingredient and inert ingredient by chemical, generic, or trade name along with the total percentage of all flammable and inert ingredients.

(2) Identification of any similar approved conveyor belt for which the applicant already holds an approval, and the formulation specifications for that belt if it has not previously been submitted to the Agency.

(i) The MSHA assigned approval number of the conveyor belt that most closely resembles the new one; and

(ii) An explanation of any changes from the existing approval.

(d) *Extension of approval.* Any change in an approved conveyor belt from the documentation on file at MSHA that affects the technical requirements of this Part must be submitted for approval prior to implementing the change. Each application for an extension of approval must include:

(1) The MSHA-assigned approval number for the conveyor belt for which the extension is sought;

(2) A description of the proposed change to the conveyor belt; and

(3) The name, address, and telephone number of the applicant's representative responsible for answering any questions regarding the application.

(e) MSHA will determine if testing, additional information, samples, or material is required to evaluate an application. If the applicant believes that flame testing is not required, a statement explaining the rationale must be included in the application.

(f) *Equivalent non-MSHA product safety standard.* An applicant may request an equivalency determination to this part under §6.20 of this chapter, for a non-MSHA product safety standard.

(g) *Fees.* Fees calculated in accordance with Part 5 of this chapter must be submitted in accordance with §5.40.